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Consolidated SIPA Liquidation of Bernard L. Madoff Investment
Securities LLC and Bernard L. Madoff*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,
Debtor,

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SAUL B. KATZ, et al.,

Defendants.

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05287 (BRL)

11-cv-03605-JSR

NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT

PLEASE TAKE NOTICE that Irving H. Picard (“Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”), by and through his undersigned counsel, will hereby move this Court, before the Honorable Jed. S. Rakoff, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY, at 4:00pm on February 23, 2012 for an Order granting partial summary judgment (“Motion”) pursuant to Rule 56 of the Federal Rules of Civil Procedure on Count One of the Trustee’s March 18, 2011 Amended Complaint.

PLEASE TAKE FURTHER NOTICE that consistent with the Court’s Case Management Plan entered on September 28, 2011, the Trustee’s moving papers shall be served and filed on or before January 26, 2012, answering papers shall be served and filed on or before February 9, 2012, and reply papers shall be served and filed on or before February 16, 2012. Oral Argument on the Motion is currently scheduled for February 23, 2012 at 4:00 p.m. as directed by the Court.

Date: January 20, 2012
New York, New York

By: /s/ David J. Sheehan
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